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BY HAND

October 12, 2007

MEMO ENDORSED

Hon. Colleen McMahon
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street Room 640
New York, New York 10007-1312

Re: Armada Bulk Carrier, Ltd. v. Andres Ruiz De Velasco S.A.
U.S.D.C., S.D.N.Y., 07 Civ. 8221 (CM) (MHD)
Our File: 501386.00964

Dear Judge McMahon:

We are attorneys for Plaintiff *Armada Bulk Carrier, Ltd.* in the referenced action. We are in receipt of the Court's October 11, 2007 Order scheduling an initial pre-trial conference and write to request a delay in carrying-out the first Order which states, "[c]ounsel receiving this order shall contact all counsel of record (or where a party is not yet represented, such party) and, if necessary, provide them with a copy of this order."

On September 20, 2007, Plaintiff filed its action pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims and in connection with the eventual recognition and enforcement of an arbitration award dated June 19, 2007. Plaintiff also sought an *ex-parte* Order for Issuance of a Writ of Attachment and Garnishment, granted by the Court on September 24, 2007. Though Plaintiff has subsequently served the Order and Writ of attachment, it has yet to attach any of Defendant's assets.

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In an effort to maintain the *ex-parte* nature of the Rule B attachment,¹ Plaintiff respectfully requests it be permitted to delay contacting the Defendant (as there is no counsel of record to date), as required in the Court's first Order, until monies are attached. If/when monies are attached, with the Court's permission, Plaintiff would provide Defendant a copy of the Court's October 11, 2007 Order at the same time it is providing notice of the attachment, as required under Local Admiralty Rule B.2.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "C.R. Nolan", written over a horizontal line.

Christopher R. Nolan

Cc: William J. Honan, Esq.

¹ Providing notice of the Court's order to Defendant at this time could defeat the twin purposes of attaining a maritime attachment -- to obtain jurisdiction and obtain security. *Polar Shipping Ltd. v. Oriental Shipping Corp.*, 680 F.2d 627, 637-638 (9th Cir. 1982).